

FIFTIETH DAY

Tuesday, April 18, 2006

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006, convened at 9:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Norman Nakanishi, Grace Bible Church of Pearl City, after which the Roll was called showing all Senators present with the exception of Senators Kim and Taniguchi who were excused.

The President announced that he had read and approved the Journal of the Forty-Ninth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 417 to 419) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 417, informing the Senate that on April 17, 2006, she signed into law Senate Bill No. 2601 as Act 8, entitled: "RELATING TO DOCUMENTS SEALED UPON FILING," was placed on file.

Gov. Msg. No. 418, advising the Senate of the withdrawal of the nomination of DARYL-JEAN WONG to the Health Planning Council, Honolulu Subarea, under Gov. Msg. No. 331, dated March 23, 2006, was placed on file.

In compliance with Gov. Msg. No. 418, the nomination listed under Gov. Msg. No. 331 was returned.

Gov. Msg. No. 419, advising the Senate of the withdrawal of the nomination of ANGES M. GROFF to the Health Planning Council, Maui County Subarea, under Gov. Msg. No. 332, dated March 23, 2006, was placed on file.

In compliance with Gov. Msg. No. 419, the nomination listed under Gov. Msg. No. 332 was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 757 to 764) were read by the Clerk and were placed on file:

Hse. Com. No. 757, returning S.C.R. No. 15, S.D. 1, which was adopted by the House of Representatives on April 17, 2006.

Hse. Com. No. 758, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on April 17, 2006, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 877, H.D. 2, S.D. 1;
H.B. No. 1233, H.D. 1, S.D. 1; and
H.B. No. 2434, S.D. 1.

Hse. Com. No. 759, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on April 17, 2006, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 1982, H.D. 2, S.D. 1;
H.B. No. 1984, H.D. 1, S.D. 1;

H.B. No. 2508, H.D. 2, S.D. 1; and
H.B. No. 3253, S.D. 1.

Hse. Com. No. 760, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on April 17, 2006, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 1983, H.D. 1, S.D. 1;
H.B. No. 2207, H.D. 1, S.D. 1; and
H.B. No. 2898, S.D. 1.

Hse. Com. No. 761, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 2443, H.D. 1, and the amendments proposed by the Senate were agreed to by the House and H.B. No. 2443, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 17, 2006.

Hse. Com. No. 762, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 2780, H.D. 1, and the amendments proposed by the Senate were agreed to by the House and H.B. No. 2780, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 17, 2006.

Hse. Com. No. 763, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on April 17, 2006, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 1, H.D. 2, S.D. 1;
H.B. No. 173, H.D. 1, S.D. 1;
H.B. No. 1155, H.D. 1, S.D. 2;
H.B. No. 1833, H.D. 1, S.D. 2;
H.B. No. 1899, H.D. 1, S.D. 1;
H.B. No. 1947, S.D. 1;
H.B. No. 2050, H.D. 2, S.D. 1;
H.B. No. 2192, H.D. 2, S.D. 2;
H.B. No. 2210, S.D. 1;
H.B. No. 2273, S.D. 1;
H.B. No. 2275, S.D. 1;
H.B. No. 2346, S.D. 1;
H.B. No. 2347, S.D. 1;
H.B. No. 2454, H.D. 1, S.D. 2;
H.B. No. 2457, H.D. 1, S.D. 1;
H.B. No. 2747, H.D. 2, S.D. 1;
H.B. No. 3018, H.D. 1, S.D. 1;
H.B. No. 3194, H.D. 1, S.D. 1; and
H.B. No. 3257, H.D. 1, S.D. 2.

Hse. Com. No. 764, informing the Senate that the Speaker on April 17, 2006, made the following changes to the conferees on the following bill:

H.B. No. 2454, H.D. 1 (S.D. 2):

Discharged Representatives Luke and Nishimoto as co-chairs.

STANDING COMMITTEE REPORTS

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3636) recommending that the Senate advise and consent to the nomination of GILBERT PERRY HAGER MD to the

Board of Physical Therapy, in accordance with Gov. Msg. No. 343.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3636 and Gov. Msg. No. 343 was deferred until Wednesday, April 19, 2006.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3637) recommending that the Senate advise and consent to the nomination of THOMAS M. PHILLIPS to the Board of Private Detectives and Guards, in accordance with Gov. Msg. No. 344.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3637 and Gov. Msg. No. 344 was deferred until Wednesday, April 19, 2006.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3638) recommending that the Senate advise and consent to the nomination of ALLYSON M. TANOUYE to the Board of Psychology, in accordance with Gov. Msg. No. 345.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3638 and Gov. Msg. No. 345 was deferred until Wednesday, April 19, 2006.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3639) recommending that the Senate advise and consent to the nomination of GORDON D. CIANO to the State Board of Public Accountancy, in accordance with Gov. Msg. No. 314.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3639 and Gov. Msg. No. 314 was deferred until Wednesday, April 19, 2006.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3640) recommending that the Senate advise and consent to the nomination of BETTY LOU LARSON to the Board of Directors of the Housing and Community Development Corporation of Hawaii (HCDCH), in accordance with Gov. Msg. No. 335.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3640 and Gov. Msg. No. 335 was deferred until Wednesday, April 19, 2006.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3641) recommending that the Senate advise and consent to the nomination of LOUIS E. ABRAMS to the Real Estate Commission, in accordance with Gov. Msg. No. 348.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3641 and Gov. Msg. No. 348 was deferred until Wednesday, April 19, 2006.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3642) recommending that the Senate advise and consent to the nomination of JEAN L. JOHNSON to the State Council on Developmental Disabilities, in accordance with Gov. Msg. No. 321.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3642 and Gov. Msg. No. 321 was deferred until Wednesday, April 19, 2006.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3643) recommending that the Senate advise and consent to the nomination of JENNIFER DIESMAN to the Health Planning Council, Honolulu Subarea, in accordance with Gov. Msg. No. 330.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3643 and Gov. Msg. No. 330 was deferred until Wednesday, April 19, 2006.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3644) recommending that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

SHARON MONELANI FOUNTAIN, in accordance with Gov. Msg. No. 322;

BRIAN KAJIYAMA, in accordance with Gov. Msg. No. 323; and

CHRISTINA M. PILKINGTON, in accordance with Gov. Msg. No. 324.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3644 and Gov. Msg. Nos. 322, 323 and 324 was deferred until Wednesday, April 19, 2006.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3645) recommending that the Senate advise and consent to the nomination of JULIETTE M. TULANG to the Health Planning Council, Hawaii County Subarea, in accordance with Gov. Msg. No. 329.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3645 and Gov. Msg. No. 329 was deferred until Wednesday, April 19, 2006.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3646) recommending that the Senate advise and consent to the nomination of GLENN ALBERT WEBSTER to the Mental Health and Substance Abuse, Hawaii Service Area Board, in accordance with Gov. Msg. No. 339.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3646 and Gov. Msg. No. 339 was deferred until Wednesday, April 19, 2006.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3647) recommending that the Senate advise and consent to the nomination of DAVID WILLIAM MAY to the Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 325.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3647 and Gov. Msg. No. 325 was deferred until Wednesday, April 19, 2006.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 3648) recommending that the Senate advise and consent to the nomination of KIYOSHI IKEDA PH. D. to the Hawaii Historic Places Review Board, in accordance with Gov. Msg. No. 334.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3648 and Gov. Msg. No. 334 was deferred until Wednesday, April 19, 2006.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 3649) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Hawaii Tourism Authority of the following:

VERNON FOOK LEONG CHAR, in accordance with Gov. Msg. No. 356; and

KAWAIKAPUOKALANI K. HEWETT, in accordance with Gov. Msg. No. 357.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3649 and Gov. Msg. Nos. 356 and 357 was deferred until Wednesday, April 19, 2006.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3650) recommending that H.C.R. No. 112, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3650 and H.C.R. No. 112, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE PROBABLE EFFECTS OF THE PROPOSED REGULATION OF ATHLETE AGENTS AND ASSESS WHETHER ITS ENACTMENT IS CONSISTENT WITH STATE POLICY," was deferred until Wednesday, April 19, 2006.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 3651), recommending that H.C.R. No. 75, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 75, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO MCKINLEY HIGH SCHOOL PHYSICAL EDUCATION AND ATHLETIC FACILITIES," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 3652), recommending that H.C.R. No. 48, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 48, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE FEDERAL GOVERNMENT ALLOW NATIONAL GUARD MEMBERS AND MILITARY RESERVISTS WITH TWENTY OR MORE YEARS OF SERVICE TO RETIRE WITH FULL RETIREMENT BENEFITS AT AGE FIFTY-FIVE," was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 3653) recommending that H.C.R. No. 34, H.D. 1, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3653 and H.C.R. No. 34, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING THE FIFTY-SECOND ANNIVERSARY OF THE DETONATION OF THE BRAVO HYDROGEN BOMB OVER BIKINI ATOLL, DECLARING MARCH 1ST AS A DAY OF REMEMBRANCE, AND REQUESTING THE UNITED STATES CONGRESS TO ENACT APPROPRIATE MEASURES TO PROVIDE FOR THE FULL HEALTH NEEDS OF THE HYDROGEN BOMB TESTS SURVIVORS

AND THEIR PROGENY, PAY APPROPRIATE PROPERTY DAMAGE CLAIMS, AND PROVIDE FOR THE COSTS OF CLEANING UP NUCLEAR SITES IN THE REPUBLIC OF THE MARSHALL ISLANDS IN CONNECTION WITH HYDROGEN BOMB TESTING ON ATOLLS OF THE REPUBLIC OF THE MARSHALL ISLANDS," was deferred until Wednesday, April 19, 2006.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 3654) recommending that H.C.R. No. 274 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3654 and H.C.R. No. 274, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING STRONG SUPPORT FOR MAINTAINING PEACE IN THE ASIA-PACIFIC WITH THE UNITED NATIONS AND WITH THE SUPPORT OF ALLIES AND FRIENDS," was deferred until Wednesday, April 19, 2006.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 3655) recommending that H.C.R. No. 275 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3655 and H.C.R. No. 275, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING STRONG SUPPORT FOR THE CONTINUANCE OF PERSISTENT AND SKILLFUL DIPLOMACY IN RESOLVING NUCLEAR PROLIFERATION ISSUES WITH THE ISLAMIC REPUBLIC OF IRAN BEFORE THE UNITED NATIONS SECURITY COUNCIL UPON THE REFERRAL OF THE INTERNATIONAL ATOMIC ENERGY AGENCY," was deferred until Wednesday, April 19, 2006.

Senators English and Chun Oakland, for the Committee on Energy, Environment, and International Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 3656) recommending that H.C.R. No. 67 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3656 and H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION IN SUPPORT OF INTERNATIONAL WOMEN'S DAY AND REQUESTING THE UNITED STATES SENATE TO RATIFY THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," was deferred until Wednesday, April 19, 2006.

APPOINTMENT AND DISCHARGE OF CONFEREES

S.B. No. 475, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 475, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Tsutsui, co-chair; Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2158, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2158, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Fukunaga, Hanabusa, co-chairs; Baker, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2159, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2159, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Fukunaga, Hanabusa, co-chairs; Baker, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2162, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2162, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, co-chair; Fukunaga, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2188, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2188, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, co-chair; Hooser, Kokubun, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2290, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2290, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Fukunaga, Hanabusa, co-chairs; Baker, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2292, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2292, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Fukunaga, Hanabusa, co-chairs; Baker, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2293, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2293, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Fukunaga, co-chair; Baker, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2323, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2323, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, Tsutsui, co-chairs; Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2327, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2327, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, co-chair; Hooser, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2334, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2334, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, Taniguchi, co-chairs; Fukunaga, Ihara, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2461, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2461, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Menor, Taniguchi, co-chairs; Baker, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 2546, S.D. 1 (H.D. 2):

The President discharged Senator Kanno as chair, Senator Inouye as a co-chair and Senator Fukunaga as a manager then appointed Senator Fukunaga as chair and Senators Ige, Inouye, Kanno, Slom as managers on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2546, S.D. 1.

S.B. No. 2571 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2571, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Hanabusa, Taniguchi, co-chairs; Hogue as managers on the part of the Senate at such conference.

S.B. No. 2572, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2572, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2688, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2688, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, Tsutsui, co-chairs; Fukunaga, Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2719, S.D. 2 (H.D. 1):

The President appointed Senator Kanno as a co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2719, S.D. 2.

S.B. No. 3009, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3009, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.B. No. 3021, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3021, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Hanabusa, co-chair, as managers on the part of the Senate at such conference.

S.B. No. 3035, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3035, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Hogue as managers on the part of the Senate at such conference.

S.B. No. 3205, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3205, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Tsutsui, co-chairs; Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 3215, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3215, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Tsutsui, co-chair; Hooser, Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 3247, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3247, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Tsutsui, co-chair; Baker, Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 3252, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3252, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Tsutsui, co-chairs; Fukunaga, Ihara, Taniguchi, Trimble as managers on the part of the Senate at such conference.

H.B. No. 30, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 30, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Taniguchi, co-chairs; Tsutsui, Trimble as managers on the part of the Senate at such conference.

H.B. No. 439, H.D. 1 (S.D. 2):

The President discharged Senator Trimble as a manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 439, H.D. 1.

H.B. No. 1821, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1821, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Taniguchi, co-chairs; Fukunaga, Trimble as managers on the part of the Senate at such conference.

H.B. No. 1871, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1871, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Fukunaga, Hanabusa, co-chairs; Baker, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1917, H.D. 2 (S.D. 2):

The President discharged Senator Ihara as a manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1917, H.D. 2.

H.B. No. 1995, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1995, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, co-chair; Whalen as managers on the part of the Senate at such conference.

H.B. No. 2043, H.D. 2 (S.D. 3):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2043, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Tsutsui, co-chair; Fukunaga, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 2097, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2097, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Taniguchi, co-chairs; Ihara, Tsutsui, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2133 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2133, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Hanabusa, co-chair; Fukunaga, Whalen as managers on the part of the Senate at such conference.

H.B. No. 2258, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2258, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Taniguchi, co-chair; Tsutsui, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2367, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2367, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, co-chair; Whalen as managers on the part of the Senate at such conference.

H.B. No. 2691 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2691, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Hanabusa, co-chair; Hogue as managers on the part of the Senate at such conference.

H.B. No. 3116, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 3116, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Tsutsui, co-chairs; Taniguchi, Trimble as managers on the part of the Senate at such conference.

H.B. No. 3194, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 3194, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hee, co-chair; Trimble as managers on the part of the Senate at such conference.

H.B. No. 3217, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 3217, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Tsutsui, co-chair; Ihara, Taniguchi, Trimble as managers on the part of the Senate at such conference.

At 9:46 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives, in accordance with House Concurrent Resolution No. 329, to award the Hawaii Medal of Honor to United States military service members with Hawaii connections who were killed in action while serving in dangerous, volatile, and unstable areas of the world, including Iraq and Afghanistan.

JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006, was called to order at 10:04 o'clock a.m. by the Honorable Calvin Say, Speaker of the House of Representatives.

Speaker Say then stated:

"This is indeed a momentous occasion – a first of its kind – called to honor members of the Hawaii National Guard, the United States Military Reserves, and members of the Regular Armed Forces of the United States, with ties to Hawaii, who fought and died bravely in a combat zone designated by Presidential Order.

"On behalf of the Senate President and all of the members of the Hawaii State Legislature, I convey our deepest condolences

to our very special guests – the family, friends and colleagues of loved ones who have lost their lives overseas in the Middle East. Our prayers are with you, and we are honored by your presence today."

At this time, the members of the Twenty-Third Legislature and special guests rose for the Posting of the Colors by the Joint Service Color Guard and the Hawaii Air National Guard, Royal Guard.

The members of the Legislature and guests remained standing for the singing of the National Anthem and "Hawaii Pono'i" by Ms. Traci Toguchi.

The Divine Blessing was then invoked by Mr. Ray Ganotise.

The Speaker then addressed the members of the Legislature and guests as follows:

REMARKS

At this time, the Speaker welcomed and introduced the following distinguished guests to the members of the Twenty-Third Legislature:

The Honorable Linda Lingle, Governor of Hawaii;

The Honorable James R. Aiona, Jr., Lieutenant Governor of Hawaii;

The Honorable Daniel K. Akaka, United States Senate;

The Honorable Ed Case, United States House of Representatives;

Admiral Gary Roughhead, U.S. Pacific Fleet, and Mrs. Ellen Roughhead;

Lieutenant General Daniel P. Leaf, U.S. Pacific Command;

Lieutenant General John M. Brown, U.S. Army Pacific, and Mrs. Elaine Brown;

Lieutenant General John Goodman, U.S. Marine Corps, Pacific Forces, and Mrs. Gayle Goodman; and

Major General Robert G.F. Lee, Hawaii State Department of Defense.

The Speaker noted:

"Madame Clerk, please note for the record the receipt of correspondence from Hawaii's Senior Senator, the Honorable Daniel K. Inouye, noting: 'Uncommon courage, devotion to duty, love of our country, and the ultimate sacrifice of the 120 Hawaii Medal of Honor recipients.'"

At this time, the Speaker presented to the members of the Twenty-Third Legislature and special guests the Honorable Linda Lingle, Governor of the State of Hawaii.

The Governor addressed the Joint Session and guests as follows:

REMARKS

The Speaker then called upon Major General Robert Lee to address the members of the Legislature and guests.

General Lee rose and stated:

REMARKS

The Speaker then stated:

“Madame Clerk, please begin the announcement of the Hawaii Medal of Honor recipients.”

At this time, the House Clerk proceeded to read the names of the following individuals who were represented by family members, friends and colleagues to receive their medals and certificates:

Sergeant Eugene Williams;
Sergeant First Class Kelly Bolor;
Chief Warrant Officer Ian D. Manuel;
Specialist Phillip L. Witkowski;
Staff Sergeant Todd E. Nunes;
Sergeant Daniel Lee Galvan;
Specialist Wesley R. Wells;
Private First Class Joshua Kuile Paul Titcomb;
Specialist Kyle K. Fernandez;
Captain Christopher B. Johnson;
Private First Class John Lukac;
Lance Corporal Andrew G. Riedel;
Petty Officer Julian Woods;
Sergeant Rafael Peralta;
Corporal Michael R. Cohen;
Lieutenant Colonel Michael J. McMahon;
Lance Corporal Blake A. Magaoay;
First Lieutenant Nainoa K. Hoe;
Staff Sergeant Brian D. Bland;
Lance Corporal Jonathan E. Etterling;
Sergeant Michael W. Finke, Jr.;
Corporal Kyle J. Grimes;
Lance Corporal Brian C. Hopper;
Corporal Sean P. Kelly;
Corporal James L. Moore;
Lance Corporal Darrell J. Schumann;
Corporal Matthew R. Smith;
Lance Corporal Joseph B. Spence;
Private First Class Stephen A. Castellano;
Lance Corporal Sean P. Maher;
Specialist Glenn J. Watkins;
Private First Class Kevin S.K. Wessel;
Lance Corporal Kevin B. Joyce;
Machinist's Mate Second Class (SEAL) Shane E. Patton;
Quartermaster Second Class (SEAL) James Suh;
Sergeant Deyson K. Cariaga;
Specialist Ray M. Fuhrmann II;
Lance Corporal Phillip C. George;
Sergeant Alfredo B. Silva;
Sergeant Evan S. Parker;
Colonel William W. Wood;
Captain Raymond D. Hill II;
Sergeant Wilgene T. Lieto;
Specialist Derence W. Jack;
Sergeant Daniel A. Tsue;
Sergeant Myla L. Maravillosa;
Private Lewis T.D. Calapini; and
Private First Class Matthew L. Bertolino.

At this time, President Bunda stated:

“Members of the Senate and members of the House, please applaud the recipients' family members, friends and colleagues who have joined us in this Chamber today.

“Madame Clerk, please begin the announcement of the names of the other recipients of the Hawaii Medal of Honor whose families could not be present for today's ceremony.”

The Senate Assistant Clerk proceeded to read the names of the following individuals whose families were not able to attend today's ceremony:

Staff Sergeant Cameron B. Samo;
Chief Warrant Officer Sharon Swartworth;
Second Lieutenant Jeremy Wolfe;
Private First Class Ernest H. Sutphin;
Private First Class John D. Amos II;
Staff Sergeant Oscar D. Medina;
Specialist Ramon C. Ojeda;
Corporal David M. Fraise;
Specialist Joseph F. Herndon II;
Specialist Joseph C. Thibodeaux III;
Private First Class Jeungjin Nikky N. Kim;
Staff Sergeant Brian S. Hobbs;
Chief Warrant Officer 3 William I. Brennan;
Lance Corporal Richard P. Slocum;
Corporal Billy Gomez;
Lance Corporal Jeremy D. Bow;
Lance Corporal John T. Byrd II;
Sergeant Kelley L. Courtney;
Lance Corporal Travis A. Fox;
Corporal Christopher J. Lapka;
Lance Corporal Michael P. Scarborough;
Lance Corporal Aaron C. Pickering;
Lance Corporal David M. Branning;
Lance Corporal Brian A. Medina;
Private First Class Jose Ricardo Flores-Mejia;
Specialist Daniel James McConnell;
Lance Corporal Michael A. Downey;
Corporal Jacob R. Fleischer;
Corporal Dale E. Fracker, Jr.;
Chief Warrant Officer 2 Travis W. Grogan;
Specialist Harley D.R. Miller;
Specialist Isaac E. Diaz;
Specialist David P. Mahlenbrock;
Lance Corporal Jeffrey S. Blanton;
Lance Corporal Franklin A. Sweager;
First Lieutenant Travis J. Fuller;
Corporal Timothy M. Gibson;
Corporal Richard A. Gilbert, Jr.;
Lance Corporal Saeed Jafarkhani-Torshizi, Jr.;
Corporal Stephen P. Johnson;
Lance Corporal Allan Klein;
Corporal Timothy A. Knight;
Lance Corporal Fred L. Maciel;
Corporal Nathaniel K. Moore;
Lance Corporal Mourad Ragimov;
Lance Corporal Rhonald Dain Rairdan;
Lance Corporal Hector Ramos;
Lance Corporal Gael Saintvil;
Corporal Nathan A. Schubert;
First Lieutenant Dustin M. Shumney;
Lance Corporal Michael L. Starr, Jr.;
Petty Officer Third Class John D. House;
Sergeant Major Barbaralien Banks;
Master Sergeant Edwin A. Matos-Colon;
Lance Corporal Nicholas C. Kirven;
Corporal Richard P. Schoener;
Sergeant Arnold Duplantier II
Senior Chief Information Systems Technician (SEAL) Daniel R. Healy;
Lieutenant Michael P. Murphy;
Sonar Technician (Surface) Second Class (SEAL) Matthew G. Axelson;
Staff Sergeant Frank F. Tiai;
Specialist Mike T. Sonoda, Jr.;
Sergeant First Class Daniel R. Scheile;
Sergeant Paul C. Neubauer;
Lance Corporal Steven A. Valdez;

Sergeant Jerry L. Bonifacio;
Captain Michael J. Mackinnon;
Sergeant Shaker T. Guy;
Specialist Marcelino R. Corniel;
Chief Warrant Officer 2 Ruel M. Garcia;
Lance Corporal Billy D. Brixey, Jr.; and
Petty Officer Third Class John T. Fralish.

At this time, President Bunda made the following announcement:

“Members of the Senate and House, and special guests, please turn your attention to the rotunda level for the 21-gun salute. Members of the Air Force, please proceed.”

A 21-gun Salute and Taps were then carried out by the U.S. Air Force.

The President then gave his closing remarks:

REMARKS

At this time, the members of the Twenty-Third Legislature and special guests rose for the Retiring of the Colors by the Joint Service Color Guard and the Hawaii Air National Guard, Royal Guard.

At 11:17 o'clock a.m., President Bunda declared the Joint Session adjourned.

ADJOURNMENT

At 11:17 o'clock a.m., the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 19, 2006.